JUN 1 1 2009

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JOHN BY:	F. CORCORAN, CLERK
	DEPUT GLENN

UNITED STATES OF AMERICA,)	Criminal Case No. 7:05cr00094-1
)	
v.)	By: Samuel G. Wilson
)	United States District Judge
JERMAINE LEE OSBOURNE.)	_
)	2255 FINAL ORDER

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Osbourne's § 2255 motion is **DENIED**; his motion to correct captioning (Docket No. 51) is **DENIED as MOOT**; and this action is **STRICKEN** from the active docket of the court.

Osbourne is advised that he may appeal the denial of his motion pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 60 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of the Court is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the petitioner.

ENTER: This //// day of June, 2009.

United States District Judge